

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AMO DEVELOPMENT, LLC,)
AMO MANUFACTURING USA, LLC,)
and AMO SALES AND SERVICE,)
INC.,)

Plaintiffs,)

v.)

C.A. No. 20-842-CFC-JLH

ALCON VISION, LLC, ALCON)
LABORATORIES, INC., and ALCON)
RESEARCH, LLC,)

**CONFIDENTIAL -
FILED UNDER SEAL**

Defendants.)

ALCON, INC., ALCON RESEARCH,)
LLC and ALCON VISION, LLC,)

Counterclaim-Plaintiffs,)

v.)

AMO DEVELOPMENT, LLC,)
AMO MANUFACTURING USA, LLC,)
AMO SALES AND SERVICE, INC.)
and JOHNSON & JOHNSON)
SURGICAL VISION, INC.,)

Counterclaim-Defendants.)

**[PROPOSED] ORDER GRANTING ALCON’S MOTION FOR SUMMARY
JUDGMENT THAT ONLY AMO DEVELOPMENT, LLC IS
ENTITLED TO ACTUAL DAMAGES**

On this _____ day of _____, 20____, the Court having considered Defendants Alcon Vision, LLC, Alcon Laboratories, Inc., and Alcon Research, LLC's ("Alcon") Motion for Summary Judgment (No. 2) That Only AMO Development, LLC is Entitled to Actual Damages under Federal Rule of Civil Procedure 56,

IT IS ORDERED that Alcon's Motion is GRANTED. Specifically, the Court holds that:

1. AMO Development, LLC is not entitled to lost profits prior to December 30, 2019, or for any sales of intraocular lenses.
2. Johnson & Johnson Surgical Vision, Inc., AMO Manufacturing USA, LLC, AMO Sales and Service, Inc., and AMO Ireland are not entitled to claim lost profits.

United States District Judge